

AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 17, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: RQR-33882 - APPLICANT/OWNER: CHETAK
DEVELOPMENT**

**** CONDITIONS ****

The Planning Commission (5-0-1/rt vote) and staff recommend APPROVAL, subject to conditions.

Planning and Development

1. Conformance to the conditions for Special Use Permit (SUP-1274).
2. This Special Use Permit shall be placed on an agenda closest to January 22, 2012 at which time the City Council may require the Off-Premise Sign (Billboard) be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Sign (Billboard) is removed.
3. The Off-Premise Sign (Billboard) and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Sign (Billboard).
4. If the existing off-premise sign is voluntarily demolished, this Special Use Permit (SUP-1274) shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.
5. Bird deterrent devices shall be installed on the sign within 30 days of final approval by the City of Las Vegas.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is in response to a Required Review of a previously approved Special Use Permit (SUP-1274) for a 55-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 2236 Paradise Road.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales</i>	
05/06/64	The City Council approved a request for a Rezoning (Z-0014-64) from R-4 (High Density Residential) to C-1 (Limited Commercial) of property generally located on the west side of Paradise Road between Sahara Avenue and St. Louis Avenue. The Planning Commission recommended approval on 04/28/64.
04/18/73	The City Council denied a request for a Variance (V-0013-73) to allow a three-sided Off-Premise Sign to a height of 55 feet in a residential zone where no Off-Premise Signs (Billboards) are allowed on property located on the northwest corner of East Sahara Avenue and Paradise Road. The Board of Zoning Adjustment recommended denial on 03/22/73.
05/18/77	The City Council approved a request for Rezoning (Z-0020-77) from R-4 (High Density Residential) to C-1 (Limited Commercial) of property generally located at the northwest corner of East Sahara Avenue and Paradise Road. The Planning Commission recommended approval on 04/26/77.
09/03/86	The City Council approved a request for a Plot Plan Review (Z-0020-77) of a Retail Center with Restaurant on property located on the northwest corner of East Sahara Avenue and Paradise Road. The Planning Commission recommended approval on 08/14/86.
08/19/87	The City Council approved a request for a Variance (V-0065-87) to allow 155 parking spaces in the existing Sahara Paradise Plaza Shopping Center where the proposed uses require 188 parking spaces on property located at 2200 Paradise Road. The Board of Zoning Adjustment recommended approval on 06/25/87.
04/13/98	The City Council approved a request for a Site Development Plan Review [Z-0020-77(1)] for a 3,087 square-foot Fast Food Restaurant on property located on the northwest corner of Sahara Avenue and Paradise Road. The Planning Commission recommended approval on 03/12/98.
04/21/99	The Planning and Development Department approved a request for a Site Development Plan Review [Z-0020-77(2)] for a proposed 3,432 square-foot Fast Food Restaurant on property located on the northwest corner of Sahara Avenue and Paradise Road.

12/04/02	The City Council approved a request for a Petition to Vacate (VAC-0070-02) a public alley generally located north of Sahara Avenue and west of Paradise Road. The Planning Commission recommended approval on 10/10/02.
01/22/03	The City Council approved a request for a Special Use Permit (SUP-1274) for a 14-foot by 48-foot Off-Premise Sign (Billboard) to be 55 feet tall where 40 feet is the maximum allowed adjacent to the northwest corner of Sahara Avenue and Paradise Road. The Planning Commission recommended denial on 12/19/02.
04/06/05	The City Council approved a request for a Required Review (RQR-5925) of an approved Special Use Permit (SUP-1274) for a 55-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) located at 2236 Paradise Road. The Planning Commission recommended approval on 02/24/05.
05/17/06	The City Council approved a request for a Required Review (RQR-12169) of an approved Special Use Permit (SUP-1274) for a 55-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 2236 Paradise Road. The Planning Commission recommended approval on 04/13/06.
05/14/09	The Planning Commission voted 5-0-1/rt to recommend APPROVAL (PC Agenda Item #11/ds).
<i>Related Building Permits/Business Licenses</i>	
c.1986	Main buildings construction date.
12/15/03	A building permit (03026485) was issued for the installation of a billboard sign at 2252 Paradise Road. The permit expired, later renewed on 08/13/07, and finalized on 08/15/07.
<i>Pre-Application Meeting</i>	
A pre-application conference was not required, nor was one held.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting was not required, nor was one held.	
<i>Field Check</i>	
04/09/09	Staff conducted a field check of the subject site with the following observations: <ul style="list-style-type: none"> • The sign and supporting structure appeared in good condition. • All structural elements have been properly maintained and are screened from public view. • The subject billboard had no embellishments, animated signage, or electronic displays.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	1.66

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	C (Commercial)	C-1 (Limited Commercial)

North	Condominiums	C (Commercial)	R-4 (High Density Residential)
South	Casino and Hotel-Clark County	CT (Commercial and Tourist)- Clark County	H-1 (Limited Resort and Apartments)- Clark County
East	Retail Establishment	C (Commercial)	C-1 (Limited Commercial)
	Offices	C (Commercial)	C-1 (Limited Commercial)
West	Motel, Parking Garage, and Retail Establishment	C (Commercial)	C-2 (General Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan	X		Y
Las Vegas Redevelopment Plan/Area	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts	X		Y
G-O Gaming Enterprise Overlay District	X		Y
A-O Airport Overlay District (175 feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Standards	Code Requirement	Provided	Compliance
Location	No Off-Premise Sign may be located within public right-of-way	Sign is not located in public right-of-way.	Y
Zoning	Off-Premise Signs are permitted in C-1, C-2, C-M, and M zoning districts only	Sign is located in a C-1 (Limited Commercial) zoning district.	Y
Area	No Off-Premise Sign shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	Sign does not have an embellishment and is 672 square feet in size.	Y

Height	No higher than 40 feet from grade at the point of construction: may be raised to a maximum of 55 feet with approval of the City Council if significantly obscured from view of travel lanes.	Sign is 55 feet tall	N*
Screening	All structural elements of an Off-Premise Sign to which the display panels are attached shall be screened from view.	Structural elements are screened from public view.	Y
Off-Premise Sign (Billboard)	At least 750 feet to another Off-Premise Sign along US-95 or at least 300 feet to another Off-premise Sign (if not along US-95)	Sign is at least 300 feet from another billboard sign.	Y
Off-Premise Sign (Billboard)	At least 300 feet to the nearest property line of a lot in any "R" or U" zoned districts.	Sign is at least 300 feet from property zoned for residential use.	Y
Other	All Off-Premise Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Sign is permanently attached to the ground and it is not located on property zoned for residential use.	Y

* The City Council approved a Special Use Permit (SUP-1274) that allowed the Off-Premise Sign (Billboard) to be 55 feet tall.

ANALYSIS

This is the third Required Review of an approved Special Use Permit (SUP-1274) for a 55-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 2236 Paradise Road. A research of the building permit activity found that a sign permit #03026485 was issued for the construction of the billboard, which received a final inspection on 08/15/07 under the address of 2252 Paradise Road. During a site inspection, staff found the sign faces and pole structure in good condition.

FINDINGS

The sign is located in a C-1 (Limited Commercial) zoning district and it is not within the Off-Premise Exclusionary Zone. The sign and supporting structure are in good condition with no discrepancies noted. There have been no significant changes in land use or development in the surrounding the area; therefore, staff recommends approval, subject to a three-year review.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 643 by City Clerk

APPROVALS 0

PROTESTS 1